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Lawrence Ira Prozan and Multi-Financial Securities Corp.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REGINA JIMENEZ,

Plaintiff,

vs.

LAWRENCE IRA PROZAN, DBA PROZAN
FINANCIAL SERVICES; and MULTI-
FINANCIAL SECURITIES CORP.,

Defendants.

Case No. 3:07-cv-03360-JSW

**[PROPOSED] ORDER ON PROZAN
DEFENDANTS' MOTION TO DISMISS
SECOND AMENDED COMPLAINT OR
IN THE ALTERNATIVE TO CONFIRM
ARBITRATION AWARD**

Date: August 8, 2008

Time: 9:00 a.m.

Courtroom: 17

Judge: Hon. Jeffrey S. White

The Motion to Dismiss Plaintiff's Second Amended Complaint, and in the alternative Motion to Confirm the Arbitration Award issued in FINRA Arbitration Case No. 05-03037, and to Enter Judgment Thereon of Defendants Lawrence Ira Prozan, DBA Prozan Financial Services, and Multi-Financial Securities Corp. (collectively the "Prozan Defendants") filed in this matter in response to Plaintiff's Second Amended Complaint came before the Hon. Jeffrey S. White on August 8, 2008 at 9:00 a.m., in Courtroom 17 of the United States District Court, Northern District of California. Stanley Hilton appeared on behalf of Plaintiff Regina Jimenez, and Elizabeth Lowery appeared on behalf of the Prozan Defendants.

After considering all the parties' submissions on file herein, arguments of counsel and good cause appearing therefore, the Court finds as follows:

- ☐ Plaintiff Jimenez's Second Amended Complaint in Case No. 3:07-cv-03360-JSW is dismissed pursuant to FRCP 12(b) (1) without leave to amend;
- ☐ Plaintiff Jimenez's Second Amended Complaint in Case No. 3:07-cv-03360-JSW is dismissed pursuant to FRCP 12(b) (6) without leave to amend;
- ☐ Pursuant to 9 U.S.C. § 9, the arbitration Award issued in FINRA Case No. 05-03037, *Regina Jimenez v. Multi-Financial Securities Corp and Lawrence Prozan DBA Prozan Financial Services and Multi-Fi Securities Corp.* is hereby confirmed in full and judgment shall be entered thereon in the instant action;
- ☐ Plaintiff Regina Jimenez is ordered to reimburse the Prozan Defendants for:
 - ☐ All costs related to their efforts to respond to the Second Amended Complaint and confirmation of the Arbitration Award in FINRA Case No. 05-03037;
 - ☐ All reasonable attorneys' fees related to their efforts to respond to the Second Amended Complaint and to confirm the arbitration Award in FINRA Case No. Case No. 05-03037.

IT IS SO ORDERED.

Dated: _____

The Honorable Jeffrey S. White
United States District Judge

PROOF OF SERVICE

I am employed in the County of Los Angeles. I declare that I am over the age of eighteen (18) and not a party to this action. My business address is 2615 Pacific Coast Highway, Suite 300, Hermosa Beach, California 90254.

On June 19, 2008, I served the following document described as: **[PROPOSED] ORDER ON PROZAN DEFENDANTS' MOTION TO DISMISS SECOND AMENDED COMPLAINT OR IN THE ALTERNATIVE TO CONFIRM ARBITRATION AWARD** on the interested parties in this action by placing the true copies thereof enclosed in sealed envelopes as follows:

COUNSEL FOR PLAINTIFFS

Stanley G. Hilton, Esq.

LAW OFFICES OF STANLEY G. HILTON

2570 North First Street, Suite 200

San Jose, California 95131

Email: FROG727@AOL.COM

- () **By U.S. Mail:** I deposited such envelopes in the mail at Hermosa Beach, California. The envelopes were mailed with postage thereon fully prepaid.
- () **By Personal Service:** I caused such envelope to be delivered by hand to the individuals at the addresses listed.
- () **By Overnight Courier:** I caused the above-referenced document(s) to be delivered to an overnight courier service (DHL), for delivery to the above addressee(s).
- () **By Facsimile Machine:** I caused the above-referenced document(s) to be transmitted to the above-named person at the following telephone number above.
- (X) **By Electronic E-mail:** I caused the above-referenced document(s) to be transmitted to the above-named person at the following addresses.
- (X) **(FEDERAL):** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on June 19, 2008 at Hermosa Beach, California.


Carole Serrano